



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,008	07/07/2003	Gilad Almogy	PDC/7811	8177

7590 06/20/2005

PATENT COUNSEL
APPLIED MATERIALS, INC.
Legal Affairs Department
P.O. BOX 450A
Santa Clara, CA 95052

EXAMINER

NGUYEN, HUNG

ART UNIT PAPER NUMBER

2851

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 6-10-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other: _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other: _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Trina Steptae
Legal Instruments Examiner (LIE)

421627
Telephone No.

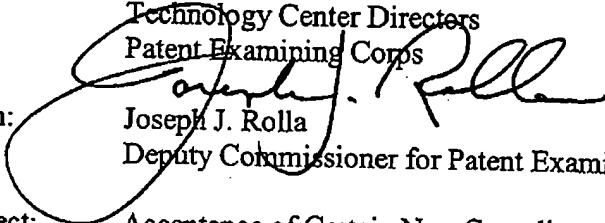


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Date: June 1, 2005

To: Technology Center Directors
Patent Examining Corps

From: 
Joseph J. Rolla
Deputy Commissioner for Patent Examination Policy

Subject: Acceptance of Certain Non-Compliant Amendments Under 37 CFR 1.121(c)

Effective immediately, the Office will waive certain provisions of 37 CFR 1.121(c)¹ so that the Office may accept amendments that include: (1) the text of canceled claims or not entered claims, and (2) certain variations of status identifiers. Although revised 37 CFR 1.121² has been in effect for over 18 months, the Office is still receiving an unexpectedly high number of non-compliant amendments. The cycle for correcting non-compliant amendments causes extra work for applicants, examiners and the Office's Technical Support Staff, delays in prosecution and increased pendency of applications. Upon review, the Office has determined that certain requirements of 37 CFR 1.121 are not deemed essential in the Image File Wrapper (IFW) environment and that waiver of certain provisions of 37 CFR 1.121(c) will still allow examiners to clearly understand exactly what amendments have been made in IFW applications.

The following amendment submissions are **now acceptable**:

- 1) Claim listings that include the text of a canceled claim or a not entered claim if the amendment otherwise complies with 37 CFR 1.121, including use of the proper status identifier "canceled" or "not entered," respectively.
- 2) Claim listings that include status identifiers as set forth in the following table if the amendment otherwise complies with 37 CFR 1.121.

Table of status identifiers set forth in 37 CFR 1.121(c) and acceptable alternatives

Status Identifiers Set Forth in 37 CFR 1.121(c)	Acceptable Alternatives
1. Original	Original Claim; and Originally Filed Claim
2. Currently amended	Presently amended; and Currently amended claim
3. Canceled	Canceled without prejudice; Cancel; Cancelled; Canceled herein; Previously cancelled; Canceled claim; and Deleted
4. Withdrawn	Withdrawn from consideration; Withdrawn - new; Withdrawn claim; and Withdrawn-currently amended ³
5. Previously presented	Previously amended; Previously added; Previously submitted; and Previously presented claim
6. New	Newly added; and New claim
7. Not entered	Not entered claim